



lfu

Docket No.: 043888-0491

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 53080
Tatsuhiko SUZUKI, et al.	:	Confirmation Number: 4914
Application No.: 10/587,276	:	Group Art Unit: 2838
Filed: July 25, 2006	:	Examiner: Ramy O. RAMADAN

For: NICKEL-HYDRIDE BATTERY LIFE DETERMINING METHOD AND LIFE DETERMINING APPARATUS

RESPONSE TO RESTRICTION REQUIREMENT

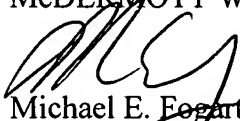
Mail Stop Response
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Noting the Office Action of October 16, 2007 wherein restriction has been required, Applicant hereby elects Species I (Fig. 2), and identify claims 1 and 4-8 as reading thereon, for prosecution in the above-identified application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,
McDERMOTT WILL & EMERY LLP


Michael E. Fogarty
Registration No. 36,139

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF:mjb
Facsimile: 202.756.8087
Date: November 8, 2007
WDC99 1488824-1.043888.0491

**Please recognize our Customer No. 53080
as our correspondence address.**